

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

APPLICANT'S DOCKET NUMBER

01013.0015.PCUS00

U.S. APPLICATION NO. (if known)

10/048,094

INTERNATIONAL APPLICATION NO.

PCT/EP00/07149

INTERNATIONAL FILING DATE

26 July 2000

PRIORITY DATE CLAIMED

29 July 1999

**TITLE OF INVENTION** Method for power and time optimization of the Travel Mode in a Vehicle/Train

**APPLICANT(S) FOR DO/EO/US** Rudiger Franke; Peter Terwiesch; Markus Meyer; Karl-Herman Ketteler (inventors)

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An Oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information.

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10/048094

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/048,094		INTERNATIONAL APPLICATION NO. PCT/EP00/07149		ATTORNEY'S DOCKET NO. 01013.0015.PCUS00	
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21. <input checked="" type="checkbox"/> The following fees are submitted:				<b>CALCULATIONS PTO USE ONLY</b>	
<b>BASIC NATIONAL FEE (37 CFR 1.492 (A) (1) - (5))</b>					
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO .....				1000.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....				860.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2) paid to USPTO.....				710.00	
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33 (1)-(4) .....				690.00	
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims satisfied provisions of PCT Article 33 (1)-(4) .....				100.00	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$	
Surcharge of \$130.00 for furnishing the Oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>	\$	
Total claims	- 20 =		X \$ 18.00	\$	
Independent claims	- 3 =		X \$ 80.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			X \$270.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$40	
<b>TOTAL FEES ENCLOSED =</b>				\$40	
				Amount to be refunded:	\$
				charged:	\$40

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 08-3038 referencing the docket number shown above in the amount of \$40 to cover the above fees.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-3038 referencing docket number shown above. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

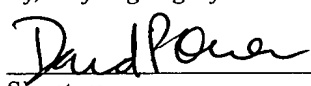
Howrey Simon Arnold & White  
 CityPoint  
 1 Ropemaker Street  
 London EC2Y 9HS  
 United Kingdom

SIGNATURE: David P. Owen  
 NAME: David P. Owen  
 REGISTRATION NUMBER: 43,344  
 TELEPHONE NUMBER: 011 44 20 7628 3303

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Form PTO-1595 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002)		<b>RECORDATION FORM COVER SHEET</b> <b>PATENTS ONLY</b>		U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office	
To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.					
1. Name of conveying party(ies):  Rudiger Franke Peter Terwiesch Markus Meyer Karl-Hermann Ketteler  Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			2. Name and address of receiving party(ies):  Name: Bombardier Transportation GmbH Street Address: Saatwinkler Damm 43 City: Berlin State:                      Zip Code: 13627    Country: Germany  Additional name(s) & address(es) attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no		
3. Nature of Conveyance:  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: _____  Execution Date(s): <u>17 May 2002; 20 May 2002; 28 May 2002; 18 May 2002</u>					
4. Application number(s) or patent number(s): If this document is filed together with a new application, the execution date of the application is <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">           A. Patent Application No(s).               10/048,094         </div> <div style="width: 45%;">           B. Patent No(s).         </div> </div> <div style="text-align: right; margin-top: 5px;">           Additional numbers attached?    <input type="checkbox"/> yes    <input checked="" type="checkbox"/> no         </div>					
5. Name & address of party to whom correspondence concerning document should be mailed:  David P. Owen HOWREY SIMON ARNOLD & WHITE CityPoint One Ropemaker Street London EC2Y 9HS United Kingdom Tel: 011 44 20 7628 3303			6. Total number of applications and patents involved <div style="text-align: center; margin-top: 10px;"> <u>1</u> </div>		
			7. Total fee (37 C.F.R. § 3.41).....\$ <u>40.00</u>  <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to Deposit Account		
			8. Deposit Account Number: 08-3038		
DO NOT USE THIS SPACE					
9. Statement and signature  <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>					
<u>David P. Owen</u> Name of Person Signing Registration No. 43,344		 Signature		<u>29 July 2002</u> Date	
Total number of pages including cover sheet, attachments and document _____					
Mail documents to be recorded with required cover sheet information to: Commissioner of Patents and Trademarks, Box Assignments Washington, D.C. 20231					

08/13/2002 ATRAN1 00000092 083038 10048094  
 01 FC:581 40.00 CH

## ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned, the undersigned hereby sell(s) and assign(s) to **Bombardier Transportation GmbH, Saatwinkler Damm 43, D-13627 Berlin, Germany** (the Assignee) his/her entire right, title and interest

*check applicable box(es):*

- ☒ for the United States of America (as defined in 35 U.S.C. § 100),  
☒ and throughout the world,

in the invention(s) known as **Method for power optimization of the Travel Mode in a Vehicle/Train** for which application(s) for patent in the United States of America has (have) been executed by the undersigned on \_\_\_\_\_ (also known as United States Application No. **10/048,094** filed on **24 January 2002**), in any and all applications thereon, in any and all Letters Patent(s) therefor, and in any and all reissues, extensions, renewals, reexaminations of such applications or Letters Patent(s) and divisional and continuation applications thereof, to the full end of the term or terms for which such Letters Patent(s) issue, including all claims, if any, that may have arisen for infringement prior to the date of this assignment, such entire right, title and interest to be held and enjoyed by the above-named Assignee to the same extent as they would have been held and enjoyed by the undersigned had this assignment and sale not been made.

The undersigned agree(s) to execute all papers necessary in connection with the application(s) and any continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference that may be declared concerning the application(s) or any continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned hereby represents that the undersigned has full right to convey the entire interest herein assigned, and that the undersigned has not executed, and will not execute, any agreement in conflict therewith.

IN WITNESS WHEREOF, executed by the undersigned on the date(s) opposite their name(s).

Signature:  Date: 17.5.2002  
**Rudiger Franke**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Peter Terwiesch**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Markus Meyer**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Karl-Hermann Ketteler**

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IN WITNESS WHEREOF, executed by the undersigned on the date(s) opposite their name(s).

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Rudiger Franke**

Signature: P. Terwiesch Date: 2002-05-20

**Peter Terwiesch**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Markus Meyer**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Karl-Hermann Ketteler**

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Rudiger Franke**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Peter Terwiesch**

Signature:  Date: 2002-05-28

**Markus Meyer**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Karl-Hermann Ketteler**

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IN WITNESS WHEREOF, executed by the undersigned on the date(s) opposite their name(s).

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Rudiger Franke**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Peter Terwiesch**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Markus Meyer**

Signature: K.-H. Ketteler Date: 18.5.2002

**Karl-Hermann Ketteler**